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*Attorneys for Defendant Zuffa, LLC, d/b/a
Ultimate Fighting Championship and UFC*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

Cung Le, Nathan Quarry, Jon Fitch, on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

Defendant.

Case No. 5:14-cv-05484 EJD

**DECLARATION OF JOHN F. COVE, JR.
IN SUPPORT OF DEFENDANT ZUFFA,
LLC'S ADMINISTRATIVE MOTION TO
ADVANCE THE HEARING DATE ON ITS
CONSOLIDATED MOTION TO
TRANSFER VENUE UNDER 28 U.S.C.
§ 1404(a) (DK. 31)**

Judge: Hon. Edward J. Davila

Luis Javier Vazquez and Dennis Lloyd Hallman, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC,

Defendant.

Case No. 5:14-cv-05591 EJD

Brandon Vera and Pablo Garza, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC,

Defendant.

Case No. 5:14-cv-05621 EJD

1 I, JOHN F. COVE, JR., declare as follows:

2 1. I am over 21 years old and have personal knowledge of the information in this
3 declaration. I am a member of the bar of the State of California, and a partner with Boies,
4 Schiller & Flexner LLP, counsel for Zuffa, LLC (“Zuffa”). I have personal knowledge of the
5 facts stated in this declaration and if called to testify, I would and could competently testify to
6 those facts.

7 2. I submit this declaration in support Zuffa’s Administrative Motion to Advance the
8 Hearing Date for Defendant Zuffa, LLC’s Consolidated Motion to Transfer Venue Under 28
9 U.S.C. § 1404(a) (“Motion to Transfer”) on the grounds that an earlier hearing date will advance
10 the interest of the parties and judicial economy by allowing the threshold question of where these
11 actions will be heard to be presented at the outset, before the Court undertakes substantial efforts
12 in these cases, and by helping ensure that the Court ultimately responsible for the cases supervises
13 all important phases of the cases.

14 3. On January 26, 2015, I spoke on the phone with Joseph R. Saveri, counsel for
15 Plaintiffs, to meet and confer on the hearing date for Zuffa’s Motion to Transfer. Assuming a
16 filing date of January 27 for the Motion to Transfer, I proposed that Plaintiffs’ opposition be due
17 on March 3, 2015 — 35 days from the date of filing and including a three-week extension from
18 the fourteen days required by Civ. L.R. 7-3 — as well as a March 17, 2015 date for Zuffa’s reply,
19 and a March 26, 2015 hearing date (subject to the Court’s availability). In an e-mail sent January
20 27, 2015 at 11:22 a.m., Mr. Saveri rejected the proposed briefing schedule, contending that the
21 schedule for the Motion to Transfer was set forth in the January 16, 2015 Stipulation and Order
22 Extending Defendant’s Response Deadlines. In an e-mail sent January 27, 2015 at 12:44 p.m., I
23 replied to Mr. Saveri, stating our position that the January 16, 2015 Stipulation and Order did not
24 set the schedule for the Motion to Transfer, only for the motion to dismiss. In addition to the first
25 briefing schedule I proposed, I also offered as possible hearing dates March 12, 19, and April 2.
26 In an e-mail sent January 26, 2015 at 3:50pm, Mr. Saveri again rejected the proposed briefing
27 schedule and all proposed hearing dates, stating that his position had not changed from his earlier
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1 correspondence. My efforts to obtain a stipulation to the requested hearing date are memorialized
2 in Exhibit A, which is a true and correct copy of my e-mail exchange with Mr. Saveri.

3 4. On January 30, I telephoned Mr. Saveri at approximately 11:40 a.m. to discuss this
4 Administrative Motion. He was not in and I left a message asking him to return my call with the
5 person who answered the telephone at his office. As of this filing, Mr. Saveri has not returned my
6 telephone call and I have no reason to believe he has changed his position from earlier this week.

7 5. The only time modification thus far in this case has been the January 16, 2015
8 Stipulation and Order extending the time for Zuffa to respond to Plaintiffs' Complaints by answer
9 or motion to dismiss.

10 6. The requested time modification would not affect any other scheduled matters in
11 this case.

12 I declare under penalty of perjury that the foregoing statements are true and correct.

13 Executed on this 30th day of January, 2015, in Oakland, California.

14 */s/ John F. Cove, Jr.*

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16 JOHN F. COVE, JR.
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